

1 CROWELL & MORING LLP  
JENNIFER S. ROMANO (SBN 195953)  
2 jromano@crowell.com  
ANDREW HOLMER (SBN 268864)  
3 aholmer@crowell.com  
515 South Flower Street, 40th Floor  
4 Los Angeles, California 90071  
Telephone: (213) 622-4750  
5 Facsimile: (213) 622-2690

6 CROWELL & MORING LLP  
APRIL N. ROSS (admitted *pro hac vice*)  
7 aross@crowell.com  
1001 Pennsylvania Avenue, N.W.  
8 Washington, D.C. 20004-2595  
Telephone: (202) 624-2500  
9 Facsimile: (202) 628-5116

10 Attorneys for Defendant  
UNITED BEHAVIORAL HEALTH

11  
12 **UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
13 **SAN FRANCISCO DIVISION**

14 MARY JONES, through her agent, on her  
own behalf and on behalf of all others  
15 similarly situated,

16 Plaintiff,

17 v.

18 UNITED BEHAVIORAL HEALTH,

19 Defendant.

Case No. 3:19-cv-6999 RS

**DECLARATION OF NGOC HAN S.**  
**NGUYEN IN SUPPORT OF DEFENDANT**  
**UNITED BEHAVIORAL HEALTH'S**  
**OPPOSITION TO PLAINTIFF'S MOTION**  
**TO MODIFY CLASS CERTIFICATION**  
**ORDER**

Hon. Richard Seeborg

Hearing Date: April 11, 2024

Time: 1:30 p.m.

Judge: Richard Seeborg

1 I, Ngoc Han S. Nguyen, hereby declare as follows:

2 1. I am a Legal Services Consultant for Optum, Inc. I have personal knowledge of  
3 the facts stated herein, and if called as a witness, could and would testify competently thereto.

4 2. As a Legal Services Consultant, my role includes providing support for United  
5 Behavioral Health (“UBH”) regarding legal matters that involve UBH. In that role, I have become  
6 familiar with the record-keeping of UBH and certain of its affiliated companies, including how  
7 UBH creates and maintains databases of plan documents, certificates of coverage, policy  
8 agreements, adverse benefit determination letters, and appeal determination letters.

9 3. I understand that the individuals whose adverse benefit determinations are the  
10 subject of this litigation have been assigned Unique Member ID numbers for the purpose of this  
11 litigation in order to preserve member confidentiality.

12 4. I am aware of the true names and identities of each of the Unique Members  
13 described herein, and refer to those individuals by their assigned Unique Member ID for the  
14 purpose of this declaration in order to preserve member confidentiality.

15 5. Attached hereto as **Exhibit 1** is a true and correct copy of Optum’s Coverage  
16 Determination Guideline (“CDG”) for Anxiety Disorders, effective February 2017.

17 6. Attached hereto as **Exhibit 2** is a true and correct copy of Optum’s CDG for  
18 Disruptive, Impulse-Control & Conduct Disorders, effective February 2017.

19 7. Attached hereto as **Exhibit 3** is a true and correct copy of Optum’s CDG for  
20 Feeding and Eating Disorders, effective January 2017.

21 8. Attached hereto as **Exhibit 4** is a true and correct redacted copy of the coverage  
22 determination letter issued to Class Member 13734 on February 6, 2018.

23 9. Attached hereto as **Exhibit 5** is a true and correct redacted copy of the coverage  
24 determination letter issued to Class Member 12545 on November 21, 2017.

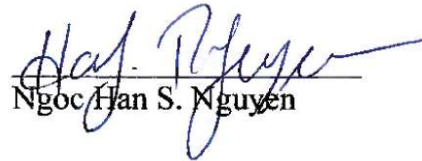
25 10. Attached hereto as **Exhibit 6** is a true and correct redacted copy of the coverage  
26 determination letter issued to Class Member 10209 on June 22, 2017.

27 11. Attached hereto as **Exhibit 7** is a true and correct redacted copy of a portion of  
28 Class Member 11773’s administrative record.

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I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 9th day of February, 2024, at Eden Prairie, MN.

  
Ngoc Han S. Nguyen